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SUBJECT: RECENT NARCOTICS DEVELOPMENTS IN THE NETHERLANDS

[1](#)1. Below follows an update of developments in the Netherlands re narcotic drugs. Contents:

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Cabinet Intensifies Cannabis Policy

[1](#)2. On July 1, the Second Chamber (Lower House) of Parliament approved the April 2004 "Cannabis Letter" drafted by the Ministers of Health, Justice and Interior, which included an "Action Plan to Discourage Cannabis Use." According to the letter, Dutch coffeeshop policy has not led to a significantly higher cannabis use since Dutch cannabis use is average compared to that of other EU countries. The Ministers argued the distinction between hard and soft drugs had worked: hard drugs were seldom found in coffeeshops. Still, they were concerned about the health risks of cannabis use and the sharp rise in the THC content. They also realized the Dutch coffeeshop policy, a responsibility for local governments, "is unsatisfactory from the point of view of law enforcement and combating drug crime."

[1](#)3. To address the problems, the Action Plan includes the following initiatives, which will be started over the next few months:

- In consultation with local governments, the Interior Ministry will investigate ways to improve enforcement of cannabis policy; encourage local governments to apply certain criteria of distance between coffeeshops and schools; and demand a more intensive use of the Municipality Act and the Opium Act to close down coffeeshops, if required;

- The Justice Ministry is experimenting to fight drug tourism and large-scale cannabis cultivation for which it seeks closer police cooperation with neighboring countries. The Ministry is investigating possibilities of limiting cannabis sales to non-residents of a certain city. Maastricht is the first city to participate in this experiment. If the flow of tourists remains high in spite of the sales limitation, the government may consider withdrawing licenses, refusing new ones or limiting opening-hours; and

- The Health Ministry is looking into the possible risks of cannabis with a high THC content. (In 2003, the THC content of Dutch-grown cannabis "Nederwiet" was 18% and of Dutch hashish 35.8%.) If research proves use of high-level THC cannabis leads to serious health risks, the Cabinet will reassess legal consequences. In the worst case, cannabis with high THC levels could be placed on List 1 of the Opium Act, effectively banning it from coffeeshops. The Health Ministry will also investigate possible links between cannabis use and mental disorders. The existing "Drugs, don't kid yourself" information campaign to discourage cannabis use will be continued over the next three years.

[1](#)4. During the parliamentary debate, Justice Minister Donner turned down a Labor Party (PvdA) proposal for coffeeshops to put content/quality labels on bags of Dutch cannabis. Donner said it was not possible for the government to control the entire chain in order to guarantee quality. This would, in fact, mean a legalization of the entire drug chain of production and distribution, which Donner sharply resisted. Health Minister Hoogervorst, however, reacted positively to a proposal to put health warnings on the "Nederwiet" wrappings, similar to those on cigarette packs.

He said he would take it up with local governments.

15. Despite Second Chamber approval, the Association of Local Governments (VNG) opposes the Cabinet plans. According to the chair of the VNG safety committee, Haarlem mayor Pop, the plans offer solutions to non-existing problems. Pop feared the plans, which will tighten controls on coffeeshops and cut down their number, will lead to a rising number of illegal and uncontrollable sales points, causing an increase in sales of hard drugs and more public nuisance. According to Pop, the Cabinet is paying too much attention to foreign opinion and is losing sight of its "successful coffeeshop policy."

Soft Drug Legalization Debate

16. The debate about legalizing soft drugs flared up again in the past few months. In April, the opposition Labor Party (PvdA) published a report proposing a licensing system for a limited number of cannabis producers, while raising sentences for illegal producers. The PvdA hoped to limit dangerous situations caused by illegal plantations. It argued firefighters were increasingly faced with fires and flooding caused by illegal cannabis producers, and energy companies lost money and energy because of tapping of illegal electricity. Moreover, PvdA argued the inconsistency between allowing cannabis use in coffeeshops but banning cannabis production should no longer be maintained. According to the PvdA, this has resulted in large-scale "Nederwiet" cultivation, often in the hands of criminal organizations. The PvdA proposed a local licensing system regulating the production of "Nederwiet" and the supply to coffeeshops, with the advantage of increased quality control. At the same time, the PvdA would raise maximum penalties for illegal growers.

17. These proposals were endorsed by a majority of Amsterdam city council, except for the Christian-Democrats. The city council also wants to legalize cannabis plantation in order to throw out organized crime. The Amsterdam politicians recently published a manifest calling on their colleagues in other cities to participate in the cannabis debate about State-controlled cannabis production, which should make it a "transparent, quality-controlled sector."

18. At a symposium of political parties' think-tanks in March, Maastricht court president Lampe said Dutch drug policy leads to overburdening of and cynicism by the judiciary. An inquiry among judges and public prosecutors showed some 67 percent favor legalization of soft drugs. Lampe called the controversial situation of allowing "front-door" cannabis sales (at coffeeshops) and penalizing "back-door" deliveries (to the coffeeshops from unauthorized producers) unworkable. Minister Donner continues to oppose "regulation" of cannabis cultivation commenting that "regulation is the same as legalization." Neither did he want to buy the argument that drug policy puts a disproportionate burden on the judiciary since only one percent of jail sentences concerns cannabis offenses.

Good Results Ecstasy Policy

19. The first assessment of the Dutch government's five-year Ecstasy policy ("Plotting against XTC"), which was announced in May 2001, argues it is proving successful. According to the report, submitted to parliament in March, the South Netherlands Core Team/Synthetic Drugs Unit (KTZ/USD) and Dutch Ecstasy teams arrested 214 suspects in 2003, twice as many as in 2002. Precursor seizures rose to 11,453 liters from 10,801 liters in 2002, and 33 investigations were completed in 2003 from 21 in 2002. According to the report, the total number of Ecstasy tablets with an alleged Dutch connection, which were confiscated by the U.S. authorities, dropped to one million in 2003 from 2.5 million in 2002. The next policy assessment will be done in late 2004 with the final one scheduled for 2006.

National Campaign to Prevent Ecstasy Smuggling

10. In June, Justice Minister Donner officially started an information campaign to keep potential Ecstasy traffickers from smuggling to other countries. The campaign, which had already been announced in the 2001 Ecstasy policy, warns potential Ecstasy traffickers against the risks they are taking in foreign countries. In 2002, some 403 Dutch nationals were being detained in foreign prisons for this crime. The Justice Ministry has opened a website (www.xtcsmokkel.nl), on which information can be found on foreign prison sentences and conditions in foreign prisons. In addition to the website, trams and buses in Amsterdam, Rotterdam, Utrecht and The Hague are carrying ads with similar warnings.

Expansion of "Medical Heroin" Experiment

11. On June 18, the Cabinet approved a proposal by the

Health and Justice Ministers enabling local governments to provide "medical heroin treatment units," if they meet all criteria. The number of persons receiving such "medical treatment" will be increased from 300 currently to 1,000, divided over 15 treatment units in 11 regions. Currently, there are six treatment units (Rotterdam, Utrecht, Heerlen, Amsterdam, The Hague, and Groningen). The Health Ministry differentials between medical treatment with heroin (treatment of a limited group of seriously ill, chronic heroin addicts for whom all other forms of treatment have failed) and "free distribution of drugs." It argues such medical treatment improves the addicts' health while reducing public nuisance and the crime rate.

¶12. All Second Chamber parties, except for CDA (Christian Democrats - senior party in the ruling coalition and the party of Minister Donner) and small Christian parties, welcomed the Cabinet decision to expand the project.

Checks on Venezuelan Flights

¶13. In April, Justice Minister Donner expanded his interdiction policy of 100% drug checks at Schiphol Airport for certain Caribbean flights to all flights coming from Venezuela. This means that, in addition to the flights coming from the Netherlands Antilles and Suriname, five more weekly flights from Venezuela will be fully checked. The Minister is also considering extending the policy to flights coming from northern Brazil. Calling the tighter controls a success, the Justice Ministry argues the number of drug runners per high-risk flight checked so far has decreased drastically. Before the end of last year when the measures were announced, there were an estimated 50 drug runners per flight. The average number has now dropped to about five. Because cocaine has become more difficult to buy, drug researchers have noted an increase in the street price for cocaine from 40-50 euros per gram to 60-65 euros. There are, however, a number of skeptics of this policy, and EU neighbors have expressed concern about diversion. [Embassy will prepare a separate cable examining the Schiphol program.]

2003 Cocaine Seizures by Customs (only Customs seizures - does not include police seizures)

¶14. Dutch Customs seized almost 14,000 kilos of cocaine in 2003 from 7,500 kilos in 2002. The increase is partly due to an exceptionally large cocaine shipment of 4,050 kilos seized last summer by the Flushing customs office. Even without this seizure, the increase would have been 33 percent. Rotterdam Customs seized more than 2,032 kilos of cocaine (590 kilos in 2002). Seizures at Schiphol rose to 2,211 kilos from 859 kilos in 2002. (The interdiction policy on flights from the Netherlands Antilles, Curacao, and Suriname started in December 2003.)

¶15. Dutch Customs also seized 89 kilos of heroin (2002: 492 kilos); 7,249 kilos of hashish (2002: 21,206 kilos); 6,141 kilos of marijuana (6,933 kilos); 875,619 Ecstasy tablets (1.92 million); and 7,674 liters of precursors (7,712 liters). Hashish and marijuana were seized mostly at inner borders.

¶16. In 2003, Dutch Customs intensified controls in storage facilities. In total, Customs officers found 2,400 kilos of hashish (about one-third of total hashish seizures), 96 kilos of marijuana, 322,500 Ecstasy tablets, and 654 liters of precursors in storage.

2003 National Drug Monitor - Drug Use Profiles

¶17. According to the 2003 National Drug Monitor (NDM) published by the Trimbos Addiction Institute, the number of drug users in the Netherlands rose between 1997 and 2001, peaking among young people between ages 20-24. Drug use in the 12-15 year age group remained virtually unchanged.

Cannabis: Cannabis remained by far the most popular drug. The number of current cannabis users rose between 1997 and 2001 from 326,000 to 408,000 (2.5% and 3%, respectively). The proportion of current cannabis users among schoolchildren remained almost stable. Compared to other EU countries, Dutch cannabis use can be considered average. One in five current users consumes cannabis (almost) daily. The number of coffeeshops dropped from 1,179 in 1997 to 782 in 2002.

Cocaine: Cocaine use among the general population is limited. However, cocaine use did increase between 1997 and 2001 (from 0.2% to 0.4% among current users), and in the last decade has seen a large increase in special groups of the population, such as problematic hard drug users. These users mainly use smokeable crack. Seven to nine out of ten opiate addicts also use cocaine, which has become the main drug for many hard drug users. Sniffed coke has become popular among partying youth and young adolescents. The

number of people seeking help for cocaine-related problems rose from 2,468 in 1994 to 6,647 in 2001. Two in three cocaine users seeking help have a crack problem. Acute mortality as a result of cocaine use shows a rising trend from 27 deaths between 1985-1995 to 86 deaths between 1996-2001.

Opiates: Heroin is not popular among the general population (0.1% of current users). With a figure ranging between 26,000 and 30,000, the number of opiate addicts in the Netherlands is stable. It is the lowest figure per thousand inhabitants in Western Europe (2.6 in the Netherlands, 3.1 in Germany, 4.3 in France, 4.5 in Sweden and 6.9 in the UK). Some 17,786 opiate addicts were in outpatient addiction care treatment in 2001. Half of all opiate addicts are registered in methadone programs, generally as clients on maintenance basis. The average age of methadone clients in Amsterdam rose from 32 in 1989 to 43 in 2002. The number of opiate overdoses among Dutch residents remained low (on average 64 cases per year). The proportion of opiate addicts injecting the drug decreased strongly over the past decade and is now estimated at 10 to 20 percent. According to the latest surveys, 16 percent of intravenous users in Amsterdam are HIV-infected.

Ecstasy and Amphetamines: The percentage of current Ecstasy users in the general population rose between 1997 and 2001 from 0.3 to 0.5 percent. The increase occurred mainly among women. The percentage of current amphetamine users remained low (0.1% in 1997 and 0.2% in 2001). Ecstasy is still popular among young party-goers. Treatment demand in outpatient addiction care for Ecstasy is low and falling (233 cases in 2001). Less than one percent of all house party visitors becomes unwell and seeks first-aid. The exact number of people who have died as a result of Ecstasy use is not known.

Drug Crime: Drug crime has for years been putting a heavy strain on the resources of police and the criminal justice system, and that has increased since 2001. More narcotics suspects were arrested in 2002 than in previous years. In 2002, six in ten investigations into organized crime involved narcotics offenses. With an increase of 17 percent between 2001 and 2002, the number of cases which ended up with public prosecutors amounted to almost 16,000. The number of community sentences imposed for narcotics offences rose by a quarter and the number of unsuspended prison sentences by almost one third. The average prison sentence rose from an average of 356 days to 382 days. The proportion of the prison population detained for narcotics offences rose from 24 percent in 2001 to 27 percent in 2002. One quarter of all narcotics offenders are repeat offenders. The Judicial Treatment of (Criminal) Addicts (SOV) (criminal addicts are given a choice between treatment or prison) is being implemented on a trial basis at four locations. At the end of May 2003, there were 174 participants meaning that almost 25 percent of the available treatment programs still were unoccupied.

Effective Approach against Drug "Runners"

18. Since 2000, the so-called A-team of the police, Tax and Customs Service has been fighting drug "runners" and "tourists" in international trains and on highways. In 2003, the A-team arrested more than 1,800 people, including 1,200 drug users, 450 drug "runners" and 70 dealers. Half of the total number of arrests were French, but there were also Belgians (347), Dutch (254) and Moroccans (226). In total, 100 kilos of hemp, 75 kilos of hashish, 3 kilos of heroin, one kilos of cocaine, 1,000 kilos of Dutch "Nederwiet," and 3,000 Ecstasy tablets were seized. The Tax Service seized 130,000 euros in cash and cars, and the police collected 446 fines worth 180,000 euros. In 2003, four French police and Customs officers participated in the A-team, greatly improving communications with France, according to the A-team.

Increasing Number of Hemp Plantations

19. Despite intensified police actions, the number of plantations cultivating Dutch-grown cannabis ("Nederwiet") is increasing. In 2003, the police dismantled some 3,000 plantations, and the number is expected to rise this year. In May 2004, the police rolled up the largest "Nederwiet" plantation ever found in the Netherlands with 135,000 plants. The three largest energy companies in the Netherlands have established their own fraud teams to track down the plantations, arguing they lose about 200 million euros per year on illegal electricity tapping.

Drug Seizures

20. After a lengthy investigation, the NR National Crime Squad ("Nationale Recherche") reported in July it had arrested five people suspected of having trafficked large supplies of Ecstasy to Australia. A total of 3.5 million

Ecstasy tablets were seized. In addition, four arrests were made in Belgium. In February, the Melbourne police found 250,000 tablets in a shipment of chandeliers. In May, some 2.5 million pills were found in a pizza oven, which had been transported from the Netherlands to Belgium, and in April 700,000 pills were found in a metal safe. The gang's leader, an "Amsterdammer," was also arrested.

21. On July 8, the NR arrested three people suspected of Ecstasy and amphetamine exports to the UK, where four people were arrested. In total, 88 kilos (about 365,000) of Ecstasy tablets and 36.5 kilos of amphetamine powder were seized hidden in a shipment of pallets with second-hand books.

Dutch-French Annual Drug Talks

22. The 9th annual drug consultations between the Netherlands and France were held June 10 in The Hague. The high-level delegations agreed to strengthen cooperation in fighting drug trafficking and use of illegal drugs. They paid special attention to renewing border-crossing cooperation and stressed the importance of countering drug smuggling and to avoid diversion to other airports and ports. The countries agreed to investigate ways in which the Schengen agreement and the Naples II Customs treaty can be used in the drug fight. French and Dutch Customs officers will undertake joint actions for airport controls. The countries also wanted to give priority to studying the risks of cannabis with high THC content.

Russel